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PATENT
ATTORNEY DOCKET NO. 38134-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Mark E. DAVIS et al.

Application No.: 09/339,818

Filed: June 25, 1999

For: LINEAR CYCLODEXTRIN COPOLYMERS



NOV 9 1999

TECH CENTER 1600/2900

Group Art Unit: 1623

Examiner: Unassigned

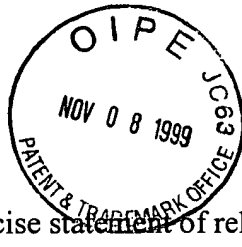
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

A copy of each of the listed documents was submitted in pending parent application no. 09/203,556 filed December 2, 1998. Accordingly, no copies are submitted herewith. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.



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The following is a concise statement of relevance of the non-English language documents.

1. Japanese Patent No. 9-263535 describes skin-permeable dermal indometacin preparations using super molecular structure high molecular weight polymer aggregates for enhanced dermal absorption. An English translation of the abstract is enclosed.
2. French Patent No. 2,665,169 describes new cyclodextrin inclusion compounds containing phenolic antioxidants for stabilizing polymers, such as polyethylene, or food, with improved persistence and ease of handling. An English translation of the abstract is enclosed.
3. WO 96/09073 A1: The relevance of this document is described at page 4 of the specification of the above-referenced application and in the English language Abstract of the document.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies a document as "prior art" against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.



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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

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Dated: November 8, 1999

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